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**IN THE UNITED STATES DISTRICT COURT
DISTRICT OF UTAH, CENTRAL DIVISION**

WALTER L. WAGNER, an individual,	:	
Plaintiff,	:	Case No. 2:11-cv-00784-BCW
v.	:	REQUEST TO SUBMIT FOR DECISION.
PRESTON MICHIE, an individual, KENNETH FRANCIK, an individual, LESLIE COBOS, an individual, MARK ROBINSON, an individual, ANNETE EMERSON, an individual, STEVE BRYANT, an individual, and WORLD BOTANICAL GARDENS, INC., a Nevada corporation,	:	Magistrate Paul M. Warner
Defendants.	:	

Defendant World Botanical Gardens, Inc, a Nevada corporation (“Defendant WBGI”), by and through its attorneys of record Arnold Richer and Patrick F. Holden of RICHER & OVERHOLT, P.C., and pursuant to DUCivR 7-3, submits Defendants World Botanical Gardens, Inc.’s Request to Submit for Decision.

Defendant WBGI served the Motion to Dismiss and supporting Memorandum on November 7, 2011. Plaintiff served a Opposition to Motion to Dismiss, Memorandum and Affidavit on November 10, 2011. Defendant WBGI served its Reply Memorandum on November 30, 2011. Defendant WBGI has not requested a hearing, Plaintiff has requested a hearing.

DATED this 12th day of December, 2011.

RICHER & OVERHOLT, P.C.



Arnold Richer

Patrick F. Holden

Attorneys for Defendant World Botanical Gardens, Inc.

CERTIFICATE OF SERVICE

I hereby certify that I caused a true and correct copy of the foregoing **DEFENDANT**
WORLD BOTANICAL GARDENS, INC.'S REPLY MEMORANDUM to be delivered to
the following in the manner and on the date below indicated:

<input type="checkbox"/> Mail	Walter L. Wagner
<input type="checkbox"/> Fax	532 N 700 E
<input checked="" type="checkbox"/> Email	Payson, Utah 84651
<input type="checkbox"/> Hand Delivery	retlawdad@hotmail.com (Pro Se Plaintiff)

DATED this 12th day of December, 2011.

